

REMARKS

EXAMINER INTERVIEW

[0001] The Examiner is thanked his time and suggestions in a telephonic interview which took place on October 16, 2007. Examiner Houshang Safaipoor and Applicant's representatives Bruce R. Needham and David Allred participated in the telephonic interview. The discussion and feedback were very helpful. Applicants believe that the following summary of the interview and the rest of the remarks are an accurate representation of the spirit and content of the interview. If, on the other hand, the Examiner believes that the record should be added to, Applicants invite the Examiner to contact the undersigned.

[0002] In the interview Applicants' representatives pointed out that the proposed amendment presented included the essence of claim 5, which was indicated as allowable by the Examiner, in independent claim 1. Applicants' representative also explained that the matter of claim 8, which was indicated as allowable, had been placed in independent claim 24, such that claim 24 was similar to a combination of original claim 8 and original claim 1. Similarly, the essence of claim 16, indicated as allowable, was rolled into independent claim 12. Claim 19, indicated as allowable, was rolled into independent claim 23. Independent claim 10 and 21 were also indicated as allowable. Therefore, Applicants' representative asserted that all of the claims were allowable.

[0003] The proposed amendment and now the present amendment include changes to the claims that require tracking a quality parameter history by utilizing a quality parameter history variable and a quality parameter time variable. Based on these variables, a quality parameter trend is determined. Then trend is extrapolated to determine when the quality parameter trend will cross a quality parameter limit. A user is notified as to when the maintenance is predicted to be required. The apparatus claims have components that are configured to implement these functions. This is not provided by the prior art and should be considered as a basis for allowance.

[0004] Examiner Safaipoor noted that at least claims 1 and 24 did not recite the scanner in the body of the claim, but only recited "scanner" in the preamble. The Examiner suggested that the claims were likely too broad without recitation of the scanner in the body of the claim. The Examiner did not state that the non-analogous apparatuses operated by identifying a trend based on data or a parameter history, and then implementing an extrapolation as included in the proposed amendments of independent claims 1 and 12. Rather, the Examiner expressed a desire to review the prior art, at which time Applicant's representatives expect that the Examiner will recognize the differences between the prior art and the present invention.

[0005] In response to the suggestions of the Examiner, Applicants have agreed to amend each of the independent claims to now positively recite the scanner. Therefore, the non-analogous art that was a concern for the Examiner should no longer present an obstacle to allowance of this application.

[0006] Even though the proposed amendments to claims 1 and 12 do not include all of the details of respective claims 5 and 16, indicated as allowable, Applicants hold that the essence of claims 5 and 16 are included and details are included that are not found in the prior art of record. The Applicants discussed that claims 5 and 16 each included two quality parameter limits and recitation of the prediction module configured to determine a time difference between times when the two limits are reached. Applicants discussed that they should be able to obtain patent protection based on a single limit and where reaching the limit is not limited to an expression in terms of "time"; otherwise, it will be easier for a potential competitor to design around Applicants claimed invention. Therefore, Applicant's representatives urged the Examiner to consider that the limitations added to independent claims 1 and 12 are still sufficient to overcome the rejections and the prior art.

[0007] The Examiner also, requested that Applicant's present their arguments in a formal response, which is set forth below. Having complied with the Examiners suggestions and requests, pending the Examiner's review, Applicants await a positive response to this amendment.